

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
ANDERSON DIVISION

Larry Donell Dawson,  
Petitioner,  
  
v.  
  
United States of America,  
  
Respondent.

C/A No. 8:99-783-GRA

**ORDER**  
(Written Opinion)

This matter is before this Court on Petitioner's "Motion for Extension of Time," filed May 6, 2005. Petitioner would like more time to appeal this Court's January 7, 2005 Order dismissing Petitioner's Motion for Reconsideration of Judgment<sup>1</sup>. For the following reasons, the present motion is DISMISSED.

The Petitioner is proceeding *pro se*. This Court is required to construe *pro se* pleadings liberally. Such pleadings are held to a less stringent standard than those drafted by attorneys. *Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir. 1978). This Court is charged with liberally construing a pleading filed by a *pro se* litigant to allow for the development of a potentially meritorious claim. *Haines v. Kerner*, 404 U.S. 519, 520 (1972).

Petitioner bases his motion on the allegation that he never received a copy of this Court's January 7, 2005 Order until after the appeal time lapsed. The records of the Clerk's Office reflect that a copy of the January 7, 2005 Order was mailed

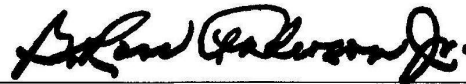
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<sup>1</sup> This Court characterized the Motion as made under 28 U.S.C. § 2255 before dismissing it.

to the Petitioner on the same day it was filed. Petitioner requested a second copy on April 25, 2005, and the second copy was mailed April 27, 2005. However, it is clear from the Clerk' s Office docket report states that the copy mailed on April 27 was indeed the second copy, with the first one having been mailed January 7.

IT IS THEREFORE ORDERED that the Motion for Extension of Time be DISMISSED.

IT IS SO ORDERED.



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G. ROSS ANDERSON, JR.  
UNITED STATES DISTRICT JUDGE

Anderson, South Carolina  
May 17, 2005

NOTICE OF RIGHT TO APPEAL

Petitioner has the right to appeal this Order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure. Failure to meet this deadline, as modified by Rule 4 of the Federal Rules of Appellate Procedure, will waive the right to appeal.